

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

OCT 3 1 2006

DOCKET NO. 1657

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY 4.06CV 3329 4.06CV3233 **LITIGATION**

(SEE ATTACHED SCHEDULE) 4. U.CV3330 4. U.CV3331 8 U.CV 433
4. U.CV3330 9 U.CV 433
4. U.CV3331 8 U.CV 433
4. U.CV3331 8 U.CV 433
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5. U.CV 653

CONDITIONAL TRANSFER ORDER (CTO-71)

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 4,677 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

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ALABAMA NORTHERN ALN 2 06-1936 ALN 2 06-1957 ALN 2 06-1967 ALN 2 06-1968 ALN 2 06-1969 ALN 2 06-1970 ALN 3 06-1977 ALN 4 06-1958	Jacqueline S. Wright v. Merck & Co., Inc. Rodolfo Vargas, et al. v. Merck & Co., Inc. Brenda Smith v. Merck & Co., Inc. Beverly Kelly v. Merck & Co., Inc. Terrell Palmore v. Merck & Co., Inc. Dorothy Arwood v. Merck & Co., Inc. Anna Baugher, et al. v. Merck & Co., Inc. Howard G. Smith v. Merck & Co., Inc.
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AZ 4 06-506	Mary Lou Amarillas, et al. v. Merck & Co., Inc.
AZ 4 06-507	Olivia L. Encinas, et al. v. Merck & Co., Inc.
AZ 4 06-508	Manuel Grajeda, et al. v. Merck & Co., Inc.
AZ 4 06-509	Richard A. Naas, et al. v. Merck & Co., Inc.
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LAW 2 06-1690 Leslie Malcolm Savoie v. Merck & Co., Inc.

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NYS 1 06-7745 Elena Strujan v. Merck & Co., Inc.

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TEXAS NORTHERN TXN 3 06-1748 TXN 3 06-1765 TXN 4 06-612	Rose Fogiel v. Merck & Co., Inc., et al. Billie Jean Jenkins v. Merck & Co., Inc. Sondra S. Light, etc. v. Merck & Co., Inc.
TEXAS SOUTHERN TXS	Dominga R. Castro v. Merck & Co., Inc., et al. Patricia Hernandez v. Merck & Co., Inc., et al. Olivia Robinson v. Merck & Co., Inc., et al. Antonio R. Saavedra v. Merck & Co., Inc., et al. Gwendolyn Ann Herron, et al. v. Merck & Co., Inc., et al. Lucia Gonzalez v. Merck & Co., Inc., et al. Minerva H. Rosas v. Merck & Co., Inc., et al. Janie M. Castro, et al. v. Merck & Co., Inc. Mary C. Valenzuela, et al. v. Merck & Co., Inc. Nancy Kohn, et al. v. Merck & Co., Inc. Violanda Rios v. Merck & Co., Inc., et al. Dominick Valenti v. Merck & Co., Inc., et al. Ronald Baker, et al. v. Merck & Co., Inc.
TXS 3 06-621 TXS 4 06-3071 TXS 4 06-3077 TXS 4 06-3090 TXS 7 06-261 TXS 7 06-262 TXS 7 06-265 TXS 7 06-266 TXS 7 06-267 TXS 7 06-268 TXS 7 06-269 TXS 7 06-270 TXS 7 06-279	Betty N. Derouen v. Merck & Co., Inc. Rosie Padgett v. Merck & Co., Inc. James Reece, et al. v. Merck & Co., Inc. Donald R. Preuninger, et al. v. Merck & Co., Inc. Estela Guerra, et al. v. Merck & Co., Inc., et al. Cristina Hernandez Mendoza v. Merck & Co., Inc., et al. Oralia Castillo, et al. v. Merck & Co., Inc. Tiodora Gonzalez, et al. v. Merck & Co., Inc. Elida Acevedo v. Merck & Co., Inc. Maria Del Carmen Ramirez, et al. v. Merck & Co., Inc. Hortencia Rosalez v. Amerisource, Inc., et al. Ofelia Mejia Campos v. Merck & Co., Inc. Maria Gonzalez de Ramirez v. Merck & Co., Inc., et al. Martha B. Torres v. Merck & Co., Inc., et al.

DIST. I)IV	. C.A. #	<u>CASE CAPTION</u>
TEXAS	W.	ESTERN	
TXW	1	06-748	Ronnie D. Fox, etc. v. Merck & Co., Inc.
TXW	1	06-749	Barbara J. Baxter v. Merck & Co., Inc., et al.
TXW	1	06-771	Katherine Arney, et al. v. Merck & Co., Inc., et al.
TXW	1	06-772	Eddie Roy Tealer v. Merck & Co., Inc., et al.
TXW	1	06-773	Alice Labaj v. Merck & Co., Inc., et al.
TXW	1	06-774	Peggy Sue Fetterly, et al. v. Merck & Co., Inc.
TXW	1	06-775	James Greer, et al. v. Merck & Co., Inc.
TXW	1	06-776	Farahnaz Mojallali, et al. v. Merck & Co., Inc.
TXW	1	06-779	Ramona Wright v. Merck & Co., Inc., et al.
TXW	1	06-786	Jesus Avila v. Merck & Co., Inc.
TXW	1	06-805	Jonna Murchison v. Merck & Co., Inc., et al.
TXW	1	06-806	Brian G. Thompson v. Merck & Co., Inc., et al.
TXW	5	06-837	Hope Gonzales, et al. v. Merck & Co., Inc.
UTAH			
UT	l	06-121	Leonard S. Robb, et al. v. Merck & Co., Inc.
UT	1	06-122	Colleen Johnson, et al. v. Merck & Co., Inc.
UT	2	06-817	Carolyn Burk v. Merck & Co., Inc.
UT	2	06-819	Shirley Vanicsek v. Merck & Co., Inc.
UT	2	06-821	Amarjit Bhatia, et al. v. Merck & Co., Inc.
UT	2	06-824	Todd Urry Harris v. Merck & Co., Inc.
UT	2	06-825	Delores Jones, et al. v. Merck & Co., Inc.
UT	2	06-830	Patricia Bates, etc. v. Merck & Co., Inc.
UT	2	06-858	Dick Ingram v. Merck & Co., Inc.
VIRGIN	IJΑ	EASTERN	
VAE	1	06-1103	Shirley Roberson v. Merck & Co., Inc.
VAE	1	06-1106	Hercharan K. Sethi, etc. v. Merck & Co., Inc.
VAE	1	06-1108	William Brochu v. Merck & Co., Inc.
VIRGIN	IJΑ	WESTERN	
VAW	1	06-98	Robin Lee Thompson v. Merck & Co., Inc.
VAW	1	06-99	Dorris Haynes, et al. v. Merck & Co., Inc.
VAW	5	06-85	Cheryl S. Goodyear, etc. v. Merck & Co., Inc.
VAW	7	06-585	Marsha Ogburn v. Merck & Co., Inc.
WASHI	NG	TON EASTERN	
WAE	2	06-282	John Steward, et al. v. Merck & Co., Inc.
WEST V	VIR	GINIA NORTHERN	
WVN	1	06-144	Marvin E. Marsh, et al. v. Merck & Co., Inc.
WVN			Shirley L. Butcher v. Merck & Co., Inc.
WVN	2	06-95	Roger Tingler, et al. v. Merck & Co., Inc.
	VIR	GINIA SOUTHERN	
WVS	l		Kenneth D. Trent v. Merck & Co., Inc.
WVS	1		Lillie F. Nichols v. Merck & Co., Inc.
WVS		06-756	Stella Louise Waddell v. Merck & Co., Inc.
WVS		06-757	Ulysess Grant Perdue v. Merck & Co., Inc.
WVS		06-741	Loretta Jones, etc. v. Merck & Co., Inc.
WVS		06-742	Larry Lee Bays, Sr., et al. v. Merck & Co., Inc.
WVS		06-743	Tammy Rae Combs, etc. v. Merck & Co., Inc.
WVS	2	06-767	Gary Neff v. Merck & Co., Inc.

DIST. DIV. C.A. #	CASE CAPTION
WVS 2 06-768	Cynthia Parker v. Merck & Co., Inc.
WVS 2 06-769	Glen Rasnick, Jr. v. Merck & Co., Inc.
WVS 2 06-770	Paul Pierson v. Merck & Co., Inc.
WVS 2 06-771	Barbara Piper v. Merck & Co., Inc.
WVS 2 06-772	Donna Hunt v. Merck & Co., Inc.
WVS 2 06-773	Clarence Miller v. Merck & Co., Inc.
WVS 2 06-774	Paul Richardson v. Merck & Co., Inc.
WVS 2 06-775	Benjamin Johnson v. Merck & Co., Inc.
WVS 2 06-776	John Jones v. Merck & Co., Inc.
WVS 2 06-777	Shirley Dement v. Merck & Co., Inc.
WVS 2 06-778	Carl Kelley, Jr. v. Merck & Co., Inc.
WVS 2 06-779	Joseph Barker v. Merck & Co., Inc.
WVS 2 06-780	Carl Allen v. Merck & Co., Inc.
WVS 2 06-781	Ralph Randolph v. Merck & Co., Inc.
WVS 2 06-782	Luther Roton v. Merck & Co., Inc.
WVS 2 06-783	Larry Menninger v. Merck & Co., Inc.
WVS 2 06-784	Maggie Maynard v. Merck & Co., Inc.
WVS 2 06-785	Patricia Scott v. Merck & Co., Inc.
WVS 2 06-786	Debra Nida, etc. v. Merck & Co., Inc.
WVS 2 06-787	Hersey Osborne v. Merck & Co., Inc.
WVS 2 06-788	Lester Smith v. Merck & Co., Inc.
WVS 2 06-789	Laura Lykins-Stanley v. Merck & Co., Inc.
WVS 2 06-790	Eva Wells v. Merck & Co., Inc.
WVS 2 06-791	Eveyn Wilson v. Merck & Co., Inc.
WVS 2 06-792	Janet Saunders v. Merck & Co., Inc.
WVS 2 06-793	Kelli Hall, etc. v. Merck & Co., Inc.
WVS 2 06-794	Christine Howard v. Merck & Co., Inc.
WVS 2 06-795	Barbara Cottrell v. Merck & Co., Inc.
WVS 2 06-796	Kenneth Jarvis v. Merck & Co., Inc.
WVS 2 06-797	Ellen Hudson v. Merck & Co., Inc.
WVS 2 06-798	Watiman Davis v. Merck & Co., Inc.
WVS 2 06-799	Okey Wiley, etc. v. Merck & Co., Inc.
WVS 2 06-800	Shawn Engle v. Merck & Co., Inc.
WVS 2 06-801	Billy Cook v. Merck & Co., Inc.
WVS 2 06-802	Michael Coughenour v. Merck & Co., Inc.
WVS 2 06-803	Thomas Thompson v. Merck & Co., Inc.
WVS 2 06-804	James Reedy v. Merck & Co., Inc.
WVS 2 06-805	Frances Daniels v. Merck & Co., Inc.
WVS 2 06-806	Thomas Drawdy, Sr. v. Merck & Co., Inc.
WVS 2 06-807	Mamie Rall v. Merck & Co., Inc.
WVS 2 06-808	Roger Barker v. Merck & Co., Inc.
WVS 2 06-809	Darrell Barnette v. Merck & Co., Inc.
WVS 2 06-810	Donnie Canterbury v. Merck & Co., Inc.
WVS 2 06-811	Dennis Cook v. Merck & Co., Inc.
WVS 2 06-812	Arlene Cooke v. Merck & Co., Inc.
WVS 2 06-813	Paul Hudgins v. Merck & Co., Inc.
WVS 2 06-814	Addie May v. Merck & Co., Inc.
WVS 2 06-815	Lorene Baldwin v. Merck & Co., Inc.
WVS 2 06-816	Rosaline Barber v. Merck & Co., Inc.
WVS 3 06-817	Otis Hively v. Merck & Co., Inc.
WVS 3 06-818	Donna Wright v. Merck & Co., Inc.
WVS 3 06-819	Cassandra Byrd v. Merck & Co., Inc., et al.
WVS 3 06-820	Sherry Bailey v. Merck & Co., Inc.
WVS 3 06-821	Mary Neal v. Merck & Co., Inc.
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DIST. DIV. C.A. #	<u>CASE CAPTION</u>
WVS 3 06-822	Clarence Stroud v. Merck & Co., Inc.
WVS 3 06-823	Laura Childs v. Merck & Co., Inc.
WVS 3 06-824	Patrick Cummings v. Merck & Co., Inc.
WVS 3 06-825	Robert Hatfield v. Merck & Co. Inc.
WVS 3 06-826	Betty Bell v. Merck & Co., Inc.
WVS 3 06-827	Mose Block v. Merck & Co., Inc.
WVS 3 06-843	Charles M. Petro, et al. v. Merck & Co., Inc.
WVS 5 06-751	Walter Herman Taylor, et al. v. Merck & Co., Inc.
WVS 5 06-752	Janice O. Gunnoe, et al. v. Merck & Co., Inc.
WVS 5 06-762	Larry Cline v. Merck & Co., Inc.
WVS 5 06-828	Susan Canterbury v. Merck & Co., Inc.
WVS 5 06-829	John Dickens v. Merck & Co., Inc.
WVS 5 06-830	Gloria Duncan v. Merck & Co., Inc.
WVS 5 06-831	Nellie Redden v. Merck & Co., Inc.
WVS 5 06-832	Desiree McEachern v. Merck & Co., Inc.
WVS 5 06-833	Martin Sargent v. Merck & Co., Inc.
WVS 5 06-834	Patricia Rivers v. Merck & Co., Inc.
WVS 5 06-835	Norman Kelly v. Merck & Co., Inc.
WVS 5 06-836	Thomas Cooper v. Merck & Co., Inc.
WVS 5 06-837	Fredrieck Carter, Sr. v. Merck & Co., Inc.
WVS 5 06-838	Olivia Burger v. Merck & Co., Inc.
WVS 6 06-839	Sandra Welch v. Merck & Co., Inc.
WVS 6 06-840	Rodney Dailey v. Merck & Co., Inc.
WVS 6 06-841	Mikyl Hines v. Merck & Co., Inc.

INVOLVED JUDGES LIST (CTO-71) DOCKET NO. 1657 IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

Hon. William M. Acker, Jr. Senior U.S. District Judge 481 Hugo L. Black U.S. Courthouse 1729 5th Avenue, North Birmingham, AL 35203-0065

Hon. John R. Adams U.S. District Judge 570 U.S. Courthouse & Fed. Bldg. Two South Main Street Akron, OH 44308

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Hon. Harold Baer, Jr. Senior U.S. District Judge 2230 Daniel Patrick Moynihan U.S. Courthouse 500 Pearl Street New York, NY 10007-1312

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U.S. District Court
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McAllen, TX 78501

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Hon. Dana M. Sabraw U.S. District Judge U.S. District Court Edward J. Schwartz U.S. Courthouse 940 Front Street, Suite 2160 San Diego, CA 92101

Hon. Timothy J. Savage U.S. District Judge 7614 James A. Byrne U.S. Courthouse 601 Market Street Philadelphia, PA 19106

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Hon. Richard A. Schell U.S. District Judge U.S. Courthouse Annex, Level Mezzanine 200 North Travis Street Sherman, TX 75090

Hon. Berle M. Schiller U.S. District Judge 5614 U.S. Courthouse 601 Market Street Philadelphia, PA 19106

Hon. Michael H. Schneider U.S. District Judge U.S. District Court 100 Federal Building 211 West Ferguson Street Tyler, TX 75701

Hon. J. Michael Seabright U.S. District Judge United States District Court C-435 Prince Kuhio Federal Bldg 300 Ala Moana Boulevard Honolulu, HI 96850-0001

Hon. Frank H. Seay Senior U.S. District Judge United States District Court P.O. Box 828 Muskogee, OK 74402-0828 Hon. Edward F. Shea U.S. District Judge Federal Bldg., Suite 190 825 Jadwin Avenue Richland, WA 99352

Hon. Steven P. Shreder U.S Magistrate Judge U.S. District Court P.O. Box 7002 Muskogee, OK 74402

Hon. William B. Shubb Senior U.S. District Judge 14-200 United States Courthouse 501 I Street Sacramento, CA 95814-2322

Hon. Sam Sparks U.S. District Judge 100 U.S. Courthouse 200 West Eighth Street Austin, TX 78701

Hon. Brian T. Stewart U.S. District Judge 148 Frank E. Moss U.S. Courthouse 350 South Main Street Salt Lake City, UT 84101

Hon. Hilda G. Tagle U.S. District Judge Federal Building & U.S. Courthouse #306 600 East Harrison Street Brownsville, TX 78520

Hon. Alvin W. Thompson U.S. District Judge Abraham Ribicoff Federal Building & U.S. Courthouse 450 Main Street Hartford, CT 06103

Hon. Anne E. Thompson Senior U.S. District Judge 4000 Clarkson S. Fisher Federal Building & U.S. Courthouse 402 East State Street Trenton, NJ 08608-1507

Hon. Ralph G. Thompson Senior U.S. District Judge 3301 U.S. Courthouse 200 N.W. 4th Street Oklahoma City, OK 73102 Hon. Lacy H. Thornburg U.S. District Judge 200 U.S. Courthouse 100 Otis Street Asheville, NC 28801-2611

Hon. John R. Tunheim U.S. District Judge 13E U.S. Courthouse 300 South Fourth Street Minneapolis, MN 55415

Hon. James C. Turk U.S. District Judge Richard H. Poff Federal Bldg. 246 Franklin Road, S.W. Roanoke, VA 24011

Hon. Ursula M. Ungaro-Benages U.S. District Judge Federal Courthouse Square 301 North Miami Avenue Miami, FL 33128-7788

Hon. Warren K. Urbom Senior U.S. District Judge 507 Robert V. Denney U.S. Courthouse 100 Centennial Mall North Lincoln, NE 68508

Hon. Richard L. Voorhees U.S. District Judge 250 Charles Jonas Federal Building 401 West Trade Street Charlotte, NC 28202

Hon. Kathryn H. Vratil U.S. District Judge 511 Robert J. Dole U.S. Courthouse 500 State Avenue Kansas City, KS 66101-2400

Hon. John F. Walter U.S. District Judge 176 United States Courthouse 312 North Spring Street Los Angeles, CA 90012-4701

Hon. Horace T. Ward Senior U.S. District Judge Richard B. Russell Federal Bldg. & U.S. Courthouse, Room 2388 75 Spring Street, S.W. Atlanta, GA 30303

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Hon. Herman J. Weber Senior U.S. District Judge 801 Potter Stewart U.S. Courthouse 100 East Fifth Street Cincinnati, OH 45202

Hon. Lesley Brooks Wells Senior U.S. District Judge 328 Howard M. Metzenbaum U.S. Courthouse 201 Superior Avenue Cleveland, OH 44114

Hon. Kimberly E. West U.S Magistrate Judge United States District Court P. O. Box 2999 Muskogee, OK 74402

Hon. Lee R. West Senior U.S. District Judge 3001 U.S. Courthouse 200 N.W. 4th Street Oklahoma City, OK 73102

Hon. Thomas J. Whelan U.S. District Judge 3155 Edward J. Schwartz U.S. Courthouse 940 Front Street, Suite 3155 San Diego, CA 92101

Hon. Ronald A. White U.S. District Judge United States District Court P.O. Box 1009 Muskogee, OK 74402

Hon. James D. Whittemore U.S. District Judge 13B Sam M. Gibbons U.S. Courthouse 801 North Florida Avenue Tampa, FL 33602

Hon. Glen M. Williams Senior U.S. District Judge P.O. Box 339 Abingdon, VA 24212

Hon. Henry T. Wingate Chief Judge, U.S. District Court 109 James O. Eastland U.S. Courthouse 245 East Capitol Street Jackson, MS 39201 Hon. Freda L. Wolfson
U.S. District Judge
6050 Clarkson S.
Fisher Federal Bldg. and US Courthouse
402 East State Street
Trenton, NJ 08608

Hon. Douglas P. Woodlock U.S. District Judge 4110 John Joseph Moakley U.S. Courthouse One Courthouse Way Boston, MA 02210-3002

Hon. Lee Yeakel U.S. District Judge U.S. Courthouse 200 W. 8th Street Suite 200 Austin, TX 78701

Hon. Richard L. Young U.S. District Judge 310 Federal Building 101 N.W. Martin Luther King Blvd. Evansville, IN 47708

Hon. James B. Zagel U.S. District Judge Everett McKinley Dirksen U.S. Courthouse 219 South Dearborn Street Chicago, IL 60604

Hon. Frank R. Zapata U.S. District Judge 5160 Evo A. DeConcini U.S. Courthouse 405 W. Congress Street Tucson, AZ 85701